

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

EUGENE COSEY,

Petitioner,

vs.

STATE OF NEBRASKA, and CLAY  
COUNTY,

Respondents.

**4:18CV3062**

**MEMORANDUM  
AND ORDER**

Petitioner filed a Petition for Writ of Habeas Corpus ([Filing No. 1](#)) and a Motion for Leave to Proceed in Forma Pauperis ([Filing No. 2](#)). Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 filing fee. [28 U.S.C. § 1914\(a\)](#). However, after considering Petitioner's financial status as shown in the records of this court (*see* inmate trust account statement at [Filing No. 3](#)), leave to proceed in forma pauperis will be granted and Petitioner is relieved from paying the filing fee. *See* [28 U.S.C. § 1915\(a\)\(1\)](#).

IT IS THEREFORE ORDERED that: Petitioner's Motion for Leave to Proceed in Forma Pauperis ([Filing No. 2](#)) is granted. The next step in this case is for the court to conduct a preliminary review of the habeas corpus petition in accordance with Rule 4 of the Rules Governing Section 2254 cases. The court will conduct this review in its normal course of business and will address Petitioner's other pending motions at that time.

Dated this 27th day of April, 2018.

BY THE COURT:

s/ *Richard G. Kopf*  
Senior United States District Judge